

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RONALD GILBRECH, individually and on behalf of all others similarly situated,

Plaintiff,

V.

**FIRST DATA CORP., a successor
to EFS NATIONAL BANK,**

Defendant.

Case No. 2:-cv-02692-tmp
CLASS ACTION

JURY TRIAL DEMANDED

DECLARATION OF GREG COURTS


I, Greg Courts, declare as follows:

1. I am the Director of ATM Operations for EFS Transportation Services, Inc., a wholly owned subsidiary of Concord EFS, Inc., which is a wholly owned subsidiary of Defendant First Data Corp. (collectively "FDC"). In that capacity I am familiar with FDC's operations that involve automatic teller machines ("ATMs"), both directly and through its subsidiaries. I am over the age of eighteen and, if called to testify, could and would state as follows:

2. Neither FDC nor any of its subsidiaries have ever owned, installed or maintained an ATM at 2736 Warford, Memphis, Tennessee (the “Warford ATM”). FDC and its subsidiaries are not and never were responsible for placing or obligated to place notices on the Warford ATM, nor were they responsible for providing services that relate to the programming of electronic messages presented to users of the Warford ATM.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

SIGNED this 19TH day of November, 2010.



GREG COURTS